

APPEAL,CONSOL

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:19-mc-00145-TSC**

IN THE MATTER OF THE FEDERAL BUREAU OF  
PRISONS' EXECUTION PROTOCOL CASES

Assigned to: Judge Tanya S. Chutkan

Member cases:

1:05-cv-02337-TSC

1:07-cv-02145-TSC

1:12-cv-00782-TSC

1:13-cv-00938-TSC

1:19-cv-02559-TSC

1:19-cv-03214-TSC

Cases: 1:05-cv-02337-TSC

1:07-cv-02145-TSC

1:12-cv-00782-TSC

1:13-cv-00938-TSC

1:19-cv-03214-TSC

1:19-cv-03570-TSC

Case in other court: USCA, 19-05322

Cause: 42:1981 Civil Rights

**In Re**

**IN THE MATTER OF THE  
FEDERAL BUREAU OF PRISONS'  
EXECUTION PROTOCOL CASES**

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*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Alan Burch**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Ethan Price Davis**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Jean Lin**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Jonathan D. Kossak**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**



**CHARLES E. SAMUELS, JR.**

*07-cv-02145; 12-cv-00782*

represented by **Denise M. Clark**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Paul Perkins**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Alan Burch**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Ethan Price Davis**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Jean Lin**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Jonathan D. Kossak**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**JOHN F. CARAWAY**

*07cv2145; 13cv938*

represented by **Denise M. Clark**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Paul Perkins**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Alan Burch**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Ethan Price Davis**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Jean Lin**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Jonathan D. Kossak**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**UNITED STATES DEPARTMENT  
OF JUSTICE**

*12cv782; 13cv938*

represented by **Denise M. Clark**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Paul Perkins**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Alan Burch**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Ethan Price Davis**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Jean Lin**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Jonathan D. Kossak**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**PAUL LAIRD**

*12-cv-00782*

represented by **Denise M. Clark**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Paul Perkins**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Alan Burch**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Ethan Price Davis**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Jean Lin**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Jonathan D. Kossak**

(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**KERRY J. FORESTAL**  
*12cv782;13cv938*

represented by **Denise M. Clark**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Paul Perkins**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Alan Burch**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Ethan Price Davis**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Jean Lin**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Jonathan D. Kossak**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**CHARLES L. LOCKETT**  
*12-cv-00782*

represented by **Denise M. Clark**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Paul Perkins**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Alan Burch**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Ethan Price Davis**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Jean Lin**  
(See above for address)

*ATTORNEY TO BE NOTICED*

**Jonathan D. Kossak**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**CHADRICK EVAN FULKS**

*13cv938*

represented by **Amy Gershenfeld Donnella**  
FEDERAL COMMUNITY DEFENDER  
OFFICE FOR THE EDPA  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Billy H. Nolas**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Joseph William Luby**

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601 Walnut Street

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*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Paul Perkins**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Alan Burch**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Ethan Price Davis**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Jean Lin**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Jonathan D. Kossak**

(See above for address)

*ATTORNEY TO BE NOTICED*

**Defendant**

**WILLIAM P. BARR**  
*19-cv-03214-TSC*

represented by **Paul Perkins**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Alan Burch**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**JEFFREY E. KRUEGER**  
*19-cv-03214-TSC*

represented by **Paul Perkins**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Alan Burch**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**JOSEPH MCCLAIN**  
*19-cv-03214-TSC*

represented by **Paul Perkins**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Alan Burch**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**RADM CHRIS A. BINA**  
*19-cv-03214-TSC*

represented by **Paul Perkins**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Alan Burch**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**T. J. WATSON**  
*19-cv-03214-TSC*

represented by **Paul Perkins**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Alan Burch**  
(See above for address)

*ATTORNEY TO BE NOTICED*

V.

**Debtor-in-Possess**

**WILLIAM E. WILSON**

*M.D.,; 19-cv-03214-TSC*

V.

**Intervenor Defendant**

**RICHARD VEACH**

*Warden, U.S. Penitentiary Terre Haute  
(05cv2337); 07cv02145*

represented by **Denise M. Clark**

(See above for address)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

**Intervenor**

**JEFFREY PAUL**

*(05cv2337)*

represented by **Gary E. Proctor**

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*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

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*PRO HAC VICE*

*ATTORNEY TO BE NOTICED*

**Shawn Nolan**  
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 Email: [shawn.nolan@fd.org](mailto:shawn.nolan@fd.org)  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Page	Docket Text
08/15/2019			Minute Entry: Status Conference held on 8/15/2019 before Judge Tanya S. Chutkan: Parties will adhere to the following schedule: Defendants shall file the administrative record on or before August 30, 2019; Plaintiffs shall complete the necessary 30(b)(6) depositions on or before February 28, 2020; and Plaintiffs shall file an amended complaint on or before March 31, 2020. Order forthcoming regarding consolidation of 05-2337; 07-2145; 12-782; and 13-958. (Court Reporter Bryan Wayne) (tb) Modified on 8/19/2019 (lctsc1). (Entered: 08/16/2019)– (Entry originally filed in 05cv2337 on 08/15/19.) (Entered: 08/29/2019)
08/20/2019	<u>1</u>		ORDER: Upon consideration of the parties consent motions and the representations made by the parties at the August 15, 2019 status conference, the court hereby consolidates the four mention cases in the case caption of this order, pursuant to Federal Rule of Civil Procedure 42(a). It is therefore ORDERED that the following cases are to be consolidated into A Master Case File established for the lead case, 05-cv-2337 (TSC), as well as 07-cv-2145 (TSC), 12-cv-0782 (TSC), and 13-cv-0938 (TSC). All filings shall be made solely in the Master Case. SEE ORDER FOR DETAILS. Signed by Judge Tanya S. Chutkan on 8/20/19. (ztd) (Main Document 1 replaced on 8/29/2019) (tb). Modified on 8/29/2019 (DJS). (Entered: 08/27/2019)
08/29/2019	<u>2</u>		MOTION for Preliminary Injunction by ALFRED BOURGEOIS (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Text of Proposed Order)(ztd); (Document originally filed in 12cv782 on 8/19/19) (Entered: 08/29/2019)
08/29/2019	<u>3</u>		MOTION for Extension of Time to File Response/Reply by ERIC H. HOLDER, JR, NEWTON E. KENDIG, II, HARLEY G. LAPPIN, MICHAEL B. MUKASEY (Attachments: # <u>1</u> Text of Proposed Order)(ztd); (Document originally filed in 05cv2337.) (Entered: 08/29/2019)
08/29/2019			MINUTE ORDER: Defendants' consent motion <u>3</u> for an extension of time to file a response to Plaintiff Alfred Bourgeois' (12-cv-00782) motion <u>2</u> for a preliminary injunction barring the execution of Plaintiff Bourgeois is GRANTED. Defendants shall file their response on or before September 16, 2019. Plaintiff's reply is due within one week of Defendants' response or September 23, 2019, whichever date is earlier. Signed by Judge Tanya S. Chutkan on 8/29/2019. (lctsc1) (Entered: 08/29/2019)
08/30/2019	<u>4</u>		

			NOTICE of Filing Certification of the Administrative Record and the Index of the Administrative Record by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Certified List of the Contents of the Administrative Records)Associated Cases: 1:19-mc-00145-TSC, 1:05-cv-02337-TSC, 1:07-cv-02145-TSC, 1:12-cv-00782-TSC, 1:13-cv-00938-TSC(Clark, Denise) (Entered: 08/30/2019)
09/04/2019			Set/Reset Deadlines: Response due by 9/16/2019. Reply due by 9/23/2019. Associated Cases: 1:19-mc-00145-TSC, 1:05-cv-02337-TSC, 1:07-cv-02145-TSC, 1:12-cv-00782-TSC, 1:13-cv-00938-TSC(tb) (Entered: 09/04/2019)
09/05/2019	<u>5</u>		NOTICE of Appearance by Jean Lin on behalf of All Defendants (Lin, Jean) (Entered: 09/05/2019)
09/05/2019	<u>6</u>		Memorandum in opposition to re <u>2</u> MOTION for Preliminary Injunction ( <i>This Document Relates to Bourgeois v. Department of Justice, No. 12-0782</i> filed by KERRY J. FORESTAL, ERIC H. HOLDER, JR, PAUL LAIRD, MICHELE LEONHART, CHARLES L. LOCKETT, MICHAEL B. MUKASEY, CHARLES E. SAMUELS, JR, UNITED STATES DEPARTMENT OF JUSTICE, THOMAS WEBSTER. (Lin, Jean) (Entered: 09/05/2019)
09/05/2019	<u>7</u>		MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Pieter Van Tol, :Firm– Hogan Lovells US LLP, :Address– 390 Madison Avenue New York, NY 10017. Phone No. – (212) 918–3000. Fax No. – (212) 918–3100 Filing fee \$ 100, receipt number 0090–6360193. Fee Status: Fee Paid. by DANIEL LEWIS LEE (Attachments: # <u>1</u> Declaration of Pieter Van Tol, # <u>2</u> Text of Proposed Order, # <u>3</u> Certificate of Service)(Hagerty, Elizabeth) (Entered: 09/05/2019)
09/05/2019	<u>8</u>		MOTION for Leave to Appear Pro Hac Vice :Attorney Name– John D. Beck, :Firm– Hogan Lovells US LLP, :Address– 390 Madison Avenue New York, NY 10017. Phone No. – (212) 918–3000. Fax No. – (212) 918–3100 Filing fee \$ 100, receipt number 0090–6360222. Fee Status: Fee Paid. by DANIEL LEWIS LEE (Attachments: # <u>1</u> Declaration of John D. Beck, # <u>2</u> Text of Proposed Order, # <u>3</u> Certificate of Service)(Hagerty, Elizabeth) (Entered: 09/05/2019)
09/06/2019			MINUTE ORDER: THIS ORDER RELATES TO LEE (19cv2559). Granting <u>7</u> <u>8</u> Motions for Leave to Appear Pro Hac Vice. Pieter Van Tol and John D. Beck are hereby admitted pro hac vice to appear in this matter on behalf of Plaintiff Daniel Lee. Signed by Judge Tanya S. Chutkan on 9/6/19. (DJS) (Entered: 09/06/2019)
09/06/2019			MINUTE ORDER: THIS ORDER RELATES TO ALL CASES. The parties are hereby reminded that, pursuant to the cour's Consolidation Order (ECF No. <u>1</u> ), when a filing is made that applies solely to ONE CASE, both the document and THE ECF ENTRY must contain a notation indicating that the filing Relates to [insert case NAME and NUMBER]. Documents that do not meet the requirements in the court's order may be STRICKEN sua sponte. Signed by Judge Tanya S. Chutkan on 9/6/19. (DJS) (Entered: 09/06/2019)
09/10/2019	<u>9</u>		NOTICE of Appearance by David Solomon Victorson on behalf of DANIEL LEWIS LEE (Victorson, David) (Entered: 09/10/2019)
09/11/2019	<u>10</u>		RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on



		9/11/2019. Answer due for ALL FEDERAL DEFENDANTS by 11/10/2019. (Hagerty, Elizabeth) (Entered: 09/11/2019)
09/12/2019	<u>11</u>	REPLY to opposition to motion re (2 in 1:19-mc-00145-TSC) MOTION for Preliminary Injunction ( <i>The filing relates to Bourgeois v. United States Department of Justice, et al., No. 12-cv-0782-TSC</i> ) filed by ALFRED BOURGEOIS. Associated Cases: 1:19-mc-00145-TSC et al.(Kursman, Alexander) (Entered: 09/12/2019)
09/13/2019		MINUTE ORDER: The Court's 8/15/19 Order requiring that the Defendants file the administrative "record" by 8/30/19, is hereby AMENDED to reflect that, pursuant to Local Civil Rule 7(n), Defendants were obligated to file "a certified list of the contents of the administrative record" by 8/30/19. Signed by Judge Tanya S. Chutkan on 9/13/19. (DJS) (Entered: 09/13/2019)
09/13/2019	<u>12</u>	<p>TRANSCRIPT OF STATUS HEARING before Judge Tanya S. Chutkan held on August 15, 2019, re Consolidated Cases, CV Nos. 05-2337, 07-2145, 12-0782, 13-0938. Page Numbers: 1-22. Date of Issuance: 9/13/19. Court Reporter: Bryan A. Wayne. Transcripts may be ordered by submitting the <a href="#">Transcript Order Form</a></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p><b>NOTICE RE REDACTION OF TRANSCRIPTS:</b> The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at <a href="http://www.dcd.uscourts.gov">www.dcd.uscourts.gov</a>.</p> <p>Redaction Request due 10/4/2019. Redacted Transcript Deadline set for 10/14/2019. Release of Transcript Restriction set for 12/12/2019.(Wayne, Bryan) (Entered: 09/13/2019)</p>
09/27/2019	<u>13</u>	MOTION for Preliminary Injunction ( <i>This filing relates to Lee v. Barr et al., Case No. 19-cv-02559-TSC</i> ) by DANIEL LEWIS LEE (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration of Pieter Van Tol, # <u>3</u> Exhibit 1 - True and correct copy of a document entitled Addendum to BOP Execution Protocol Federal Death Sentence Implementation Procedures Effective July 25, 2019., # <u>4</u> Text of Proposed Order)(Van Tol, Pieter) (Entered: 09/27/2019)
10/01/2019	<u>14</u>	Joint MOTION for Briefing Schedule as to <u>13</u> MOTION for Preliminary Injunction ( <i>This filing relates to Lee v. Barr et al., Case No. 19-cv-02559-TSC</i> ) ( <i>This document relates to Lee v. Barr, 19-cv-2559</i> ) by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Lin, Jean) Modified event title on 10/3/2019 (znmw). (Entered: 10/01/2019)
10/01/2019		MINUTE ORDER: The parties' joint motion <u>14</u> for an extension of time to file a response and reply to Plaintiff Daniel Lee's (19-cv-02559) motion <u>13</u> for a

		preliminary injunction barring implementation of the new federal lethal injunction protocol is GRANTED. Defendants shall file their response on or before October 18, 2019. Plaintiff's reply is due on or before November 1, 2019. Signed by Judge Tanya S. Chutkan on 10/1/2019. (lctsc1) (Entered: 10/01/2019)
10/01/2019		Set/Reset Deadlines: Defendants' Response due by 10/18/2019. Plaintiff's Reply due by 11/1/2019. (zjd) (Entered: 10/03/2019)
10/02/2019	<u>15</u>	NOTICE of Appearance by Amy J. Lentz on behalf of ORLANDO HALL (Lentz, Amy) (Main Document 15 replaced on 10/2/2019) (ztd). (Entered: 10/02/2019)
10/18/2019	<u>16</u>	Memorandum in opposition to re <u>13</u> MOTION for Preliminary Injunction ( <i>This filing relates to Lee v. Barr et al., Case No. 19-cv-02559-TSC</i> ) ( <i>This document relates to Lee v. Barr, 19-cv-2559</i> ) filed by MARK BEZY, JOHN F. CARAWAY, ALAN R. DOERHOFF, JOHN DOES(I-IV, Individually and in their official capacities; 07-cv-02145-TSC), JOHN DOES(I-V, Individually and in their official capacities 05cv2337; 12cv00782 I-X), KERRY J. FORESTAL, CHADRICK EVAN FULKS, ERIC H. HOLDER, JR, NEWTON E. KENDIG, II, PAUL LAIRD, HARLEY G. LAPPIN, MICHELE LEONHART, CHARLES L. LOCKETT, MICHAEL B. MUKASEY, CHARLES E. SAMUELS, JR, KAREN TANDY(Administrator, Drug Enforcement Administration (05cv2337)), UNITED STATES DEPARTMENT OF JUSTICE, THOMAS WEBSTER. (Lin, Jean) (Entered: 10/18/2019)
10/24/2019	<u>17</u>	ENTERED IN ERROR.....NOTICE of Supplementation to the Administrative Record and Filing of Certification of the Amended Administrative Record and the Amended Index of the Administrative Record by MARK BEZY, JOHN F. CARAWAY, ALAN R. DOERHOFF, JOHN DOES(I-IV, Individually and in their official capacities; 07-cv-02145-TSC), JOHN DOES(I-V, Individually and in their official capacities 05cv2337; 12cv00782 I-X), KERRY J. FORESTAL, CHADRICK EVAN FULKS, ERIC H. HOLDER, JR, NEWTON E. KENDIG, II, PAUL LAIRD, HARLEY G. LAPPIN, MICHELE LEONHART, CHARLES L. LOCKETT, MICHAEL B. MUKASEY, KAREN TANDY(Administrator, Drug Enforcement Administration (05cv2337)), KAREN TANDY(07-cv-02145-TSC), UNITED STATES DEPARTMENT OF JUSTICE, THOMAS WEBSTER re <u>4</u> Notice (Other), (Attachments: # <u>1</u> Certification and Amended Index to Administrative Record)(Kossak, Jonathan) Modified on 10/25/2019 (zjf). (Entered: 10/24/2019)
10/24/2019	<u>18</u>	MOTION for Leave to File <i>supplemental briefing in support of Daniel Lewis Lee's Motion for Preliminary Injunction <u>13</u></i> ( <i>This filing relates to Lee v. Barr et al., Case No. 19-cv-02559-TSC</i> ), MOTION for Leave to File Excess Pages for a reply brief by DANIEL LEWIS LEE (Attachments: # <u>1</u> Declaration of Pieter Van Tol, # <u>2</u> Exhibit 1 – Transcript for August 15, 2019 Hearing before Court, # <u>3</u> Exhibit 2 – E-mail exchange between P. Van Tol and counsel for Defendants, October 2, 2019, # <u>4</u> Exhibit 3 – E-mail exchange between counsel for Defendants and P. Enzinna, September 25, 2019 and October 1, 2019, # <u>5</u> Exhibit 4 – E-mail exchange between P. Van Tol and counsel for Defendants, October 7, 2019 to October 23, 2019, # <u>6</u> Text of Proposed Order)(Van Tol, Pieter) (Entered: 10/24/2019)
10/25/2019	<u>19</u>	RESPONSE re <u>18</u> MOTION for Leave to File <i>supplemental briefing in support of Daniel Lewis Lee's Motion for Preliminary Injunction <u>13</u></i> ( <i>This filing relates</i>

			<i>to Lee v. Barr et al., Case No. 19-cv-02559-TSC</i> ) MOTION for Leave to File Excess Pages <i>for a reply brief</i> filed by UNITED STATES DEPARTMENT OF JUSTICE. (Clark, Denise) (Entered: 10/25/2019)
10/25/2019			NOTICE OF CORRECTED DOCKET ENTRY: Document No. re <u>17</u> Notice (Other) was entered in error at the request of counsel and will be refiled.(jf) (Entered: 10/25/2019)
10/25/2019	<u>20</u>		NOTICE ( <i>Corrected</i> ) of Supplementation to the Administrative Record and Filing of Certification of the Amended Administrative Record and the Amended Index of the Administrative Record ( <i>This filing relates to all cases consolidated in In the Matter of the Federal Bureau of Prisons' Execution Protocol Cases, Case No. 19-mc-145</i> ) by MARK BEZY, JOHN F. CARAWAY, ALAN R. DOERHOFF, JOHN DOES(I-IV, Individually and in their official capacities; 07-cv-02145-TSC), JOHN DOES(I-V, Individually and in their official capacities 05cv2337; 12cv00782 I-X), KERRY J. FORESTAL, CHADRICK EVAN FULKS, ERIC H. HOLDER, JR, NEWTON E. KENDIG, II, PAUL LAIRD, HARLEY G. LAPPIN, MICHELE LEONHART, CHARLES L. LOCKETT, MICHAEL B. MUKASEY, CHARLES E. SAMUELS, JR, KAREN TANDY(Administrator, Drug Enforcement Administration (05cv2337)), KAREN TANDY(07-cv-02145-TSC), UNITED STATES DEPARTMENT OF JUSTICE, THOMAS WEBSTER re <u>4</u> Notice (Other), (Attachments: # <u>1</u> Certification and Amended Index to Administrative Record)(Kossak, Jonathan) (Entered: 10/25/2019)
10/29/2019	<u>21</u>		NOTICE of Appearance by Jonathan D. Kossak on behalf of All Defendants (Kossak, Jonathan) (Entered: 10/29/2019)
11/01/2019			MINUTE ORDER granting, in part, and denying, in part, <u>18</u> Motion to Allow Supplemental Briefing and to Extend Page Limit. Granting with respect to page extension and denying without prejudice until further order of the Court with respect to supplemental briefing. Signed by Judge Tanya S. Chutkan on 11/1/19. (lcdl) (Entered: 11/01/2019)
11/01/2019	<u>22</u>		REPLY to opposition to motion re <u>13</u> MOTION for Preliminary Injunction ( <i>This filing relates to Lee v. Barr et al., Case No. 19-cv-02559-TSC</i> ) ( <i>This filing relates to Lee v. Barr et al., Case No. 19-cv-02559-TSC</i> ) filed by DANIEL LEWIS LEE. (Van Tol, Pieter) (Entered: 11/01/2019)
11/01/2019	<u>23</u>		DECLARATION of Pieter Van Tol to <u>22</u> . . . .REPLY to opposition to motion re <u>13</u> MOTION for Preliminary Injunction ( <i>This filing relates to Lee v. Barr et al., Case No. 19-cv-02559-TSC</i> ) Reply Declaration of Pieter Van Tol ( <i>This filing relates to Lee v. Barr et al., Case No. 19-cv-02559-TSC</i> ) filed by DANIEL LEWIS LEE. (Attachments: # <u>1</u> Exhibit A – Appellants Petition for En Banc Rehearing Death Penalty Case, May 14, 2020, # <u>2</u> Exhibit B –E–mail exchange between me and counsel for the Defendants between the period of October 7, 2019 and October 23, 2019, # <u>3</u> Exhibit C – Transcript for the conference before the Court on August 15, 2019)(Van Tol, Pieter) Modified text on 11/4/2019 (ztd). (Entered: 11/01/2019)
11/01/2019	<u>24</u>		DECLARATION of Gail A. Van Norman, M.D. to <u>22</u> . . . . .REPLY to opposition to motion re <u>13</u> MOTION for Preliminary Injunction ( <i>This filing relates to Lee v. Barr et al., Case No. 19-cv-02559-TSC</i> ) Expert Declaration of Gail A. Van ( <i>This filing relates to Lee v. Barr et al., Case No.</i>

			<i>19-cv-02559-TSC</i> ) Norman, M.D. filed by DANIEL LEWIS LEE. (Van Tol, Pieter) Modified text on 11/4/2019 (ztd). (Entered: 11/01/2019)
11/01/2019	<u>25</u>		DECLARATION of Craig W. Stevens, Ph.D. to <u>22</u> . . . .REPLY to opposition to motion re <u>13</u> MOTION for Preliminary Injunction ( <i>This filing relates to Lee v. Barr et al., Case No. 19-cv-02559-TSC</i> ) Expert Declaration of Craig W. Stevens Ph.D. ( <i>This filing relates to Lee v. Barr et al., Case No. 19-cv-02559-TSC</i> ) filed by DANIEL LEWIS LEE. (Van Tol, Pieter) Modified text on 11/4/2019 (ztd). (Entered: 11/01/2019)
11/01/2019	<u>26</u>		Unopposed MOTION to Intervene by DUSTIN LEE HONKEN (Attachments: # <u>1</u> Exhibit Complaint, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit)Associated Cases: 1:19-mc-00145-TSC et al.(Schmidt, Amelia) (Entered: 11/01/2019)
11/04/2019	<u>27</u>		MOTION for Extension of Time to <i>Respond to Complaint</i> by UNITED STATES DEPARTMENT OF JUSTICE (Clark, Denise) Modified on 11/5/2019 (ztd). (Entered: 11/04/2019)
11/05/2019	<u>28</u>		NOTICE of Appearance by Jonathan Jeffress on behalf of DUSTIN LEE HONKEN (Jeffress, Jonathan) (Entered: 11/05/2019)
11/05/2019	<u>29</u>		MOTION for Preliminary Injunction by DUSTIN LEE HONKEN (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit)(Jeffress, Jonathan) (Entered: 11/05/2019)
11/05/2019			NOTICE OF ERROR re <u>28</u> Notice of Appearance; emailed to jjeffress@kaiserdillon.com, cc'd 64 associated attorneys — The PDF file you docketed contained errors: 1. Counsel must call Attorney Admissions, (202) 354-3110, regarding status. (ztd, ) (Entered: 11/05/2019)
11/05/2019	<u>30</u>		RESPONSE re <u>27</u> MOTION for Extension of Time to File Response/Reply ( <i>This filing relates to Lee v. Barr et al., Case No. 19-cv-02559-TSC</i> ) filed by DANIEL LEWIS LEE. (Van Tol, Pieter) (Entered: 11/05/2019)
11/05/2019	<u>31</u>		Consent MOTION for Extension of Time to <i>Respond to Proposed Plaintiff/Intervenor Honken's Motion for Preliminary Injunction (This filing relates to Lee v. Barr et al., Case No. 19-cv-02559-TSC)</i> by MARK BEZY, JOHN F. CARAWAY, ALAN R. DOERHOFF, JOHN DOES(I-IV, Individually and in their official capacities; 07-cv-02145-TSC), JOHN DOES(I-V, Individually and in their official capacities 05cv2337; 12cv00782 I-X), KERRY J. FORESTAL, CHADRICK EVAN FULKS, ERIC H. HOLDER, JR, NEWTON E. KENDIG, II, PAUL LAIRD, HARLEY G. LAPPIN, MICHELE LEONHART, CHARLES L. LOCKETT, MICHAEL B. MUKASEY, CHARLES E. SAMUELS, JR, KAREN TANDY(Administrator, Drug Enforcement Administration (05cv2337)), KAREN TANDY(07-cv-02145-TSC), UNITED STATES DEPARTMENT OF JUSTICE, THOMAS WEBSTER (Attachments: # <u>1</u> Text of Proposed Order)(Kossak, Jonathan) (Entered: 11/05/2019)
11/06/2019	<u>32</u>		MOTION for Leave to File <i>the expert declarations of Gail A. Norman, M.D. and Craig W. Stevens, Ph.D. (This filing relates to Lee v. Barr et al., Case No. 19-cv-02559-TSC)</i> by DANIEL LEWIS LEE (Attachments: # <u>1</u> Text of Proposed Order)(Van Tol, Pieter) (Entered: 11/06/2019)

11/07/2019	<u>33</u>		Joint MOTION for Hearing ( <i>This filing relates to All Cases</i> ) by DANIEL LEWIS LEE (Van Tol, Pieter) (Entered: 11/07/2019)
11/07/2019			MINUTE ORDER denying <u>33</u> the parties' motion for a hearing without prejudice until further order of the Court. The Court intends to issue a ruling and/or hold a hearing no later than November 20, 2019. Signed by Judge Tanya S. Chutkan on November 7, 2019. (tsclc2) (Entered: 11/07/2019)
11/08/2019			MINUTE ORDER: Granting <u>26</u> Dustin Lee Honkin's Unopposed Motion to Intervene, pursuant to Federal Rule of Civil Procedure 24(b). Denying <u>31</u> Consent Motion for Extension of Time to respond to Dustin Lee Honkin's Motion for Preliminary Judgment. Defendant shall file its response by November 12, 2019 at 5pm. Plaintiff's reply brief shall be filed by November 18, 2019 at 12 p.m. The Court will view motions for extension with extreme disfavor. Granting <u>27</u> Defendant's Motion for Extension of Time to Respond to Daniel Lewis Lee's Complaint. Defendant's response to the Complaint shall be filed no later than April 30, 2020 at 12 p.m.. Signed by Judge Tanya S. Chutkan on 11/8/2019. (tsclc2) (Entered: 11/08/2019)
11/08/2019			Set/Reset Deadlines/Hearings: Answer due by 4/30/2020. Response due by 11/12/2019. Reply due by 11/18/2019. (tb) (Entered: 11/08/2019)
11/08/2019	<u>34</u>		MOTION for Preliminary Injunction <i>Barring the Implementation of the Newly Announced Federal Lethal Injection Protocol</i> , by WESLEY IRA PURKEY (Attachments: # <u>1</u> Text of Proposed Order)(Smith, Arin) (Entered: 11/08/2019)
11/08/2019	<u>38</u>		Intervenor COMPLAINT filed by DUSTIN LEE HONKEN. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14)(ztd) (Entered: 11/13/2019)
11/12/2019	<u>35</u>		NOTICE of Appearance by Ethan Price Davis on behalf of All Defendants (Attachments: # <u>1</u> Certificate of Service)(Davis, Ethan) (Entered: 11/12/2019)
11/12/2019	<u>36</u>		RESPONSE re <u>29</u> MOTION for Preliminary Injunction ( <i>This document relates to Lee v. Barr, 19-cv-2559, re Intervenor Plaintiff Honken</i> ) filed by UNITED STATES DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Declaration of Raul Campos)(Lin, Jean) (Entered: 11/12/2019)
11/12/2019	<u>37</u>		Memorandum in opposition to re <u>34</u> MOTION for Preliminary Injunction <i>Barring the Implementation of the Newly Announced Federal Lethal Injection Protocol</i> , ( <i>This document relates to Purkey v. Barr, 19-cv-03214</i> ) filed by UNITED STATES DEPARTMENT OF JUSTICE. (Lin, Jean) (Entered: 11/12/2019)
11/12/2019			MINUTE ORDER: Defendant shall file the administrative record in its entirety no later than November 14, 2019 at 5pm. Given this order, parties need not jointly prepare the appendix referred to in Local Civil Rule 7(n)(1),(2). Signed by Judge Tanya S. Chutkan on 11/12/19. (tsclc2) (Entered: 11/12/2019)
11/13/2019			MINUTE ORDER: This order relates to 19cv3214 (Wesley Purkey). GRANTING Motions for Admission Pro Hac Vice filed in 19cv3214-TSC at ECF Nos. 3 and 4 Alan E. Schoenfeld and Ryan M. Chabot are hereby admitted pro hac vice in this matter on behalf of Wesley Purkey. Signed by Judge Tanya S. Chutkan on 11/13/19. (DJS) Modified on 11/13/2019 (tb). Modified on



		11/13/2019 (tb). (Entered: 11/13/2019)
11/13/2019		MINUTE ORDER: Counsel are hereby reminded that pursuant to Paragraph 8 of this court's Consolidation Order <u>1</u> , when a document is filed that relates to one or more, but not all consolidated cases, the relevant case name(s) and CASE NUMBER(S) must appear in the caption of the document AND on the CM/ECF ENTRY (e.g., This document relates to LEE HONKEN 19-cv-2559). Signed by Judge Tanya S. Chutkan on 11/13/19. (DJS) (Entered: 11/13/2019)
11/13/2019	<u>39</u>	NOTICE of Filing of the Amended Administrative Record (this filing relates to All Cases) by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Amended Administrative Record)(Kossak, Jonathan) (Entered: 11/13/2019)
11/13/2019	<u>40</u>	NOTICE of Appearance– Pro Bono by Charles Frederick Walker on behalf of CORY JOHNSON (Walker, Charles) (Entered: 11/13/2019)
11/13/2019	<u>41</u>	NOTICE of Appearance– Pro Bono by Steven M Albertson on behalf of CORY JOHNSON (Albertson, Steven) (Entered: 11/13/2019)
11/14/2019		Set/Reset Deadlines: Administrative Record due by 11/14/2019. (tb) (Entered: 11/14/2019)
11/14/2019	<u>42</u>	NOTICE of Appearance by Alan Burch on behalf of All Defendants (Burch, Alan) (Entered: 11/14/2019)
11/14/2019	<u>43</u>	NOTICE of Appearance by Paul Perkins on behalf of All Defendants (Perkins, Paul) (Entered: 11/14/2019)
11/18/2019	<u>44</u>	REPLY to opposition to motion re (29 in 1:19-mc-00145-TSC) MOTION for Preliminary Injunction filed by DUSTIN LEE HONKEN. (Attachments: # <u>1</u> Exhibit)Associated Cases: 1:19-mc-00145-TSC, 1:19-cv-02559-TSC(Jeffress, Jonathan) (Entered: 11/18/2019)
11/18/2019	<u>45</u>	SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by DUSTIN LEE HONKEN (This document is SEALED and only available to authorized persons.) (Attachments: # <u>1</u> Exhibit Reply to Opposition, # <u>2</u> Exhibit Exhibit 1)(Jeffress, Jonathan) (Entered: 11/18/2019)
11/18/2019	<u>46</u>	SEALED MOTION filed by WESLEY IRA PURKEY (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Text of Proposed Order)(Smith, Arin) (Entered: 11/18/2019)
11/18/2019	<u>47</u>	REPLY to opposition to motion re <u>34</u> MOTION for Preliminary Injunction <i>Barring the Implementation of the Newly Announced Federal Lethal Injection Protocol</i> , (This document relates to Purkey v. Barr, 19-cv-03214) filed by WESLEY IRA PURKEY. (Attachments: # <u>1</u> Exhibit 1)(Smith, Arin) Modified text on 11/18/2019 at the request of counsel (ztth). (Entered: 11/18/2019)
11/18/2019		MINUTE ORDER: Granting DUSTIN LEE HONKEN's <u>45</u> Sealed Motion for Leave to File Document Under Seal and WESLEY IRA PURKEY's <u>46</u> Sealed Motion for leave to File Document Under Seal. SO ORDERED – by Judge Tanya S. Chutkan on 11/18/19. (tb) (Entered: 11/18/2019)
11/18/2019	<u>48</u>	SEALED REPLY TO OPPOSITION filed by DUSTIN LEE HONKEN re <u>29</u> MOTION for Preliminary Injunction (This document is SEALED and only available to authorized persons.) (Attachments: # <u>1</u> Exhibit)(ztd) (Entered: 11/18/2019)

			11/19/2019)
11/18/2019	<u>49</u>		SEALED REPLY TO OPPOSITION filed by WESLEY IRA PURKEY re <u>34</u> MOTION for Preliminary Injunction <i>Barring the Implementation of the Newly Announced Federal Lethal Injection Protocol</i> , (This document is SEALED and only available to authorized persons.) (Attachments: # <u>1</u> Exhibit)(ztd) (Entered: 11/19/2019)
11/20/2019	<u>50</u>		MEMORANDUM AND OPINION regarding Plaintiffs' motions <u>2</u> <u>13</u> <u>29</u> <u>34</u> for preliminary injunction. Signed by Judge Tanya S. Chutkan on 11/20/2019. (tsclc) (Entered: 11/20/2019)
11/20/2019	<u>51</u>		ORDER granting <u>2</u> Motion for Preliminary Injunction; granting <u>13</u> Motion for Preliminary Injunction; granting <u>29</u> Motion for Preliminary Injunction; granting <u>34</u> Motion for Preliminary Injunction. Defendants are hereby enjoined from executing Plaintiffs until further order of this court. See Order for additional details. Signed by Judge Tanya S. Chutkan on 11/20/2019. (tsclc) (Entered: 11/20/2019)
11/20/2019	<u>56</u>		SEALED DOCUMENT filed by WILLIAM P. BARR, MARK BEZY, RADM CHRIS A. BINA, JOHN F. CARAWAY, ALAN R. DOERHOFF, JOHN DOES(I-IV, Individually and in their official capacities; 07-cv-02145-TSC), JOHN DOES(I-V, Individually and in their official capacities 05cv2337; 12cv00782 I-X), KERRY J. FORESTAL, CHADRICK EVAN FULKS, ERIC H. HOLDER, JR, NEWTON E. KENDIG, II, JEFFREY E. KRUEGER, PAUL LAIRD, HARLEY G. LAPPIN, MICHELE LEONHART, CHARLES L. LOCKETT, JOSEPH MCCLAIN, MICHAEL B. MUKASEY, CHARLES E. SAMUELS, JR, KAREN TANDY(Administrator, Drug Enforcement Administration (05cv2337)), KAREN TANDY(07-cv-02145-TSC), UNITED STATES DEPARTMENT OF JUSTICE, T. J. WATSON, THOMAS WEBSTER. (This document is SEALED and only available to authorized persons.)(ztd) (Entered: 11/21/2019)
11/21/2019	<u>52</u>		NOTICE OF APPEAL TO DC CIRCUIT COURT as to <u>51</u> Order on Motion for Preliminary Injunction,,,,,, <u>50</u> Order by UNITED STATES DEPARTMENT OF JUSTICE. Fee Status: No Fee Paid. Parties have been notified. (Attachments: # <u>1</u> November 20, 2019 Order, # <u>2</u> November 20, 2019 Memorandum Opinion)(Lin, Jean) (Entered: 11/21/2019)
11/21/2019	<u>53</u>		MOTION to Stay <i>Preliminary Injunction Pending Appeal</i> (This document relates to <i>Bourgeois v. Dep't of Justice</i> , 12-cv-782, <i>Lee v. Barr</i> , 19-cv-2559, and <i>Purkey v. Barr</i> , 19-cv-3214) by UNITED STATES DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Lin, Jean) (Entered: 11/21/2019)
11/21/2019	<u>54</u>		AFFIDAVIT re <u>53</u> MOTION to Stay <i>Preliminary Injunction Pending Appeal</i> (This document relates to <i>Bourgeois v. Dep't of Justice</i> , 12-cv-782, <i>Lee v. Barr</i> , 19-cv-2559, and <i>Purkey v. Barr</i> , 19-cv-3214) (Declaration of Rick Winter) by UNITED STATES DEPARTMENT OF JUSTICE. (Lin, Jean) (Entered: 11/21/2019)
11/21/2019	<u>55</u>		Transmission of the Notice of Appeal, Order Appealed (Memorandum Opinion), and Docket Sheet to US Court of Appeals. The Court of Appeals docketing fee was not paid because the appeal was filed by the government re <u>52</u> Notice of Appeal to DC Circuit Court,. (ztd) (Entered: 11/21/2019)

11/22/2019	<u>57</u>		RESPONSE re <u>53</u> MOTION to Stay <i>Preliminary Injunction Pending Appeal</i> (This document relates to <i>Bourgeois v. Dep't of Justice</i> , 12-cv-782, <i>Lee v. Barr</i> , 19-cv-2559, and <i>Purkey v. Barr</i> , 19-cv-3214) filed by ALFRED BOURGEOIS, DUSTIN LEE HONKEN, DANIEL LEWIS LEE, WESLEY IRA PURKEY. (Smith, Arin) (Entered: 11/22/2019)
11/22/2019			MINUTE ORDER: Upon consideration of Defendants' <u>53</u> Motion to Stay, this court finds that Defendants are not likely to succeed on the merits of their appeal and that the balance of harms does not weigh in favor of a stay. Therefore, Defendants' <u>53</u> Motion to Stay is hereby DENIED. Signed by Judge Tanya S. Chutkan on 11/22/2019. (tsclc) (Entered: 11/22/2019)
11/22/2019			USCA Case Number 19-5322 for <u>52</u> Notice of Appeal to DC Circuit Court, filed by UNITED STATES DEPARTMENT OF JUSTICE. (zrdj) (Entered: 11/22/2019)



**U.S. District Court**

**District of Columbia**

**Notice of Electronic Filing**

The following transaction was entered on 11/22/2019 at 5:35 PM EDT and filed on 11/22/2019

**Case Name:** IN THE MATTER OF THE FEDERAL BUREAU OF PRISONS' EXECUTION  
PROTOCOL CASES

**Case Number:** 1:19-mc-00145-TSC

**Filer:**

**Document  
Number:** No document attached

**Docket Text:**

**MINUTE ORDER: Upon consideration of Defendants' [53] Motion to Stay, this court finds that Defendants are not likely to succeed on the merits of their appeal and that the balance of harms does not weigh in favor of a stay. Therefore, Defendants' [53] Motion to Stay is hereby DENIED. Signed by Judge Tanya S. Chutkan on 11/22/2019. (tsclc)**

**1:19-mc-00145-TSC Notice has been electronically mailed to:**

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**1:19-mc-00145-TSC Notice will be delivered by other means to::**

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